

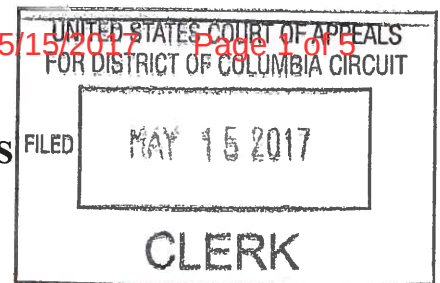


USCA Case #17-1130

Document #1677017

Filed: 05/15/2017

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**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA**

M.D. MILLER TRUCKING AND
TOPSOIL, INC.,

Petitioner,

AND

Case 17-1130

NATIONAL LABOR RELATIONS
BOARD,

Respondent.

PETITION FOR REVIEW

ORIGINAL

M.D. Miller Trucking & Topsoil, Inc., Petitioner herein, hereby petitions the Court for review of the Order of the National Labor Relations Board ("Board") in NLRB Case No. 13-CA-104166 finding that Petitioner violated the National Labor Relations Act as amended (the "Act"), 29 U.S.C.S. §§ 158(a), and owed Edward McCallum back pay and interest. The Board's Order was entered on April 12, 2017, and is reported at 365 NLRB No. 57. This decision follows a prior decision of the Board, which was issued on December 16, 2014, and is reported at 361 NLRB No. 141 (2014). The Board's decisions are attached hereto as Exhibit A. This petition is filed pursuant to Section 10(f) of the Act, 29 U.S.C. § 160(f). A Certificate of Parties and Amici and a List of Parties Served is attached as Exhibit B, and a Corporate Disclosure Statement is attached as Exhibit C.

WHEREFORE, Petitioner hereby requests that the Court grant the petition for review and set aside the order of the NLRB finding that Petitioner violated the Act and ordering Petitioner to comply with the NLRB's remedial order.

Respectfully submitted this 12th day of May 2017.

M.D. Miller Trucking & Topsoil, Inc.



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Certificate of Parties
And List of Parties Served

The following parties participated in the proceeding before the National Labor Relations Board for which M.D. Miller now files its Petition for Review:

Kevin McCormick
Counsel for the General Counsel
National Labor Relations Board, Region 13
219 S. Dearborn, Room 808
Chicago, IL 60604



Corporate Disclosure Statement

M.D. Miller Trucking and Topsoil, Inc. is a woman-owned Illinois Corporation engaged in the trucking business, has no parent corporation, and is not publicly traded.



Accordingly, Petitioner has on this date, May 12, 2017, served a copy of its Petition for Review on the persons identified above, as well as on the Assistant General Counsel for the National Labor Relations Board:

Kevin McCormick
Counsel for the General Counsel
National Labor Relations Board, Region 13
219 S. Dearborn, Room 808
Chicago, IL 60604

Richard F. Griffin, Jr.
General Counsel
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